

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JESSIHA LANCASTER,

Plaintiff,

V.

HAROLD CLARK, *et al.*,

Defendants.

Case No. C07-5251 RJB/KLS

**ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL
DISCOVERY**

Before the Court is Plaintiff's Motion to Compel. (Dkt. # 106). Plaintiff seeks an order compelling Defendants to produce certain documents. Having reviewed the motion, Defendants' response (Dkt. # 109), and balance of the record, the Court finds that the motion should be denied.

Plaintiff does not indicate he has met and conferred with opposing counsel prior to filing this motion as required by Local Rule 37 (a)(2). (Dkt. # 106; Dkt. # 109, Exh. 1). A party applying to the Court for an order compelling discovery “must include a certification that he has in good faith conferred or attempted to confer with the person or party failing to make the discovery in an effort to secure the information or material without court intervention.” Fed. R. Civ. P. 37(a)(2)(B). In addition, “[a] good faith effort to confer with a party or person not making a disclosure or discovery requires a face-to-face meeting or a telephonic conference.” Local Rule CR 37(a)(2)(A). The Court expects all parties to cooperate in their discovery efforts.

1 Accordingly, it is **ORDERED**:

2 (1) Plaintiff's motion to order Defendants to compel documents (Dkt. # 106) is **DENIED**
3 **without prejudice**; and
4 (2) The Clerk of the Court shall send copies of this Order to the Plaintiff and counsel for
5 Defendants.

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7 DATED this 24th day of January, 2008.

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11 Karen L. Strombom

12 United States Magistrate Judge